

RESTRICTIVE COVENANT

OWNER: Unity Five Investment, LLC, a Texas limited liability company

OWNER ADDRESS: 11700 Shoreview Overlook, Austin, Texas 78732

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: 2.386 acres of land out of and a portion of the Mariguita Castro Survey Number 50, Abstract Number 160, in Travis County, Texas, and being all of that certain called 2.386 acres of land conveyed to Daniel R. Renner as recorded in Document Number 2013203647 of the Official Public Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this covenant (the "Property"),

WHEREAS, the Owner (the "Owner", whether one or more) of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Development on the Property is subject to the conditions contained in the Traffic Impact Analysis ("TIA") memorandum from the Transportation Review Section of the Development Services Department (the "Department"), dated March 22, 2017. The TIA memorandum shall be kept on file at the Department.
2. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.

4. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the Owner(s) of the Property, or a portion of the Property, subject to the modification, amendment, or termination at the time of such modification, amendment, or termination.

EXECUTED this the _____ day of _____, 2017.

Owner:

United Five Investment, LLC,
a Texas limited liability company

By: _____
Nasruddin Mahesania
Managing Member

By: _____
Abujarali Maknojiya
Managing Member

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____2017,
by Nasruddin Mahesania.

Notary Public, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____2017,
by Abujarali Maknojiya.

Notary Public, State of Texas

Exhibit A

2.386 ACRES
MARIGUITA CASTRO LEAGUE NO. 50,
ABSTRACT NO. 160
TRAVIS COUNTY, TEXAS
TITLE SURVEY

FIELD NOTES

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE MARIGUITA CASTRO SURVEY NUMBER 50, ABSTRACT NUMBER 160 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING ALL OF A 2.386 ACRE TRACT OF LAND CONVEYED TO DANIEL R. RENNER IN DOCUMENT NUMBER 2013203647 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 2.386 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a $\frac{1}{4}$ " iron rod found at the southeastern corner of said Renner tract, same being the southwestern corner of Lot 36, Block Q of Cantarra Section One, recorded in Document Number 200800024 (O.P.R.T.C.TX.) and being also in the northern right-of-way line of Gregg Lane (a.k.a Howard Lane), a variable width right-of-way, for the southeastern corner and POINT OF BEGINNING of the herein described tract,

THENCE with the common boundary line of said Renner tract and said Gregg Lane, N59°06'45"W, a distance of 393.19 feet to a $\frac{1}{4}$ " capped iron rod set at the southernmost southwestern corner of said 2.386 acre tract and being in the eastern right-of-way line of Cantarra Drive (64' R.O.W.) described in said Cantarra Section One, for the southernmost southwestern corner of the herein described tract, at a point of curvature to the right

THENCE, with the common boundary line of said Renner tract and said Cantarra Section One, the following four (4) courses and distances, numbered 1 through 4,

1. with said curve to the right having a radius of 25.00 feet, an arc length of 9.05 feet and whose chord bears N21°00'18"E, for a distance of 9.00 feet to a $\frac{1}{4}$ " iron rod found,
2. N31°22'27"E, for a distance of 254.69 feet to a $\frac{1}{4}$ " iron rod found at the northwestern corner of said Renner tract and being the southwestern corner of Lot 1, Block Q of said Cantarra Section One, also being in the eastern right-of-way line of said Cantarra Drive, for the northwestern corner of the herein described tract,
3. S59°23'22"E, for a distance of 391.29 feet to a $\frac{1}{4}$ " capped iron rod set at the northeastern corner of said Renner tract, being in the southern line of Lot 10, Block Q of said Cantarra Section One and the northwestern corner of said Lot 36, for the northeastern corner of the herein described tract, and
4. S30°36'38"W, for a distance of 265.44 feet to the POINT OF BEGINNING and containing 2.386 acres of land.

Surveyed by:

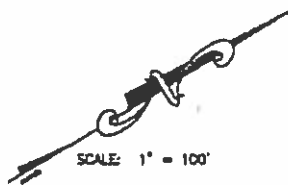
 22 Jan 2014

Aaron V. Thomason ~ R.P.L.S. No. 6214
Carlson, Brigrance & Doering, Inc.
5501 West William Cannon Drive
Austin, TX 78749
Phone: (512) 280-5160



BEARING BASIS: CANTARRA VENTURES, LTD. TRACT, RECORDED IN DOC. #2008063044 (O.P.R.T.C.TX.)

TITLE SURVEY OF 2.386 ACRES OF LAND RECORDED IN DOCUMENT NUMBER 2013203647 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING SITUATED IN THE MARIGUITA CASTRO LEAGUE NUMBER 50, ABSTRACT 160, IN TRAVIS COUNTY, TEXAS



LEGEND

- IRON ROD SET
- IRON ROD FOUND
- POWER POLE
- GUY ANCHOR
- ELECTRIC METER
- ELECTRIC MANHOLE
- WATER METER
- LOT NUMBER
- BLOCK
- WOOD FENCE
- OVERHEAD UTILITY
- LANDSCAPE EASEMENT
- SPRINKLER CONTROL VALVE
- BACK OF CURB
- POINT OF BEGINNING
- RIGHT OF WAY

TO: DANIEL R. RENNER, SELF DIRECTED IRA SERVICES, INC., CUSTODIAN FBO MICHAEL RAY JETER ROTH IRA #201001423 AND SELF DIRECTED IRA SERVICES, INC., CUSTODIAN FBO KATHERINE SUE JETER IRA #201312627 AND HERITAGE TITLE OF AUSTIN, INC.

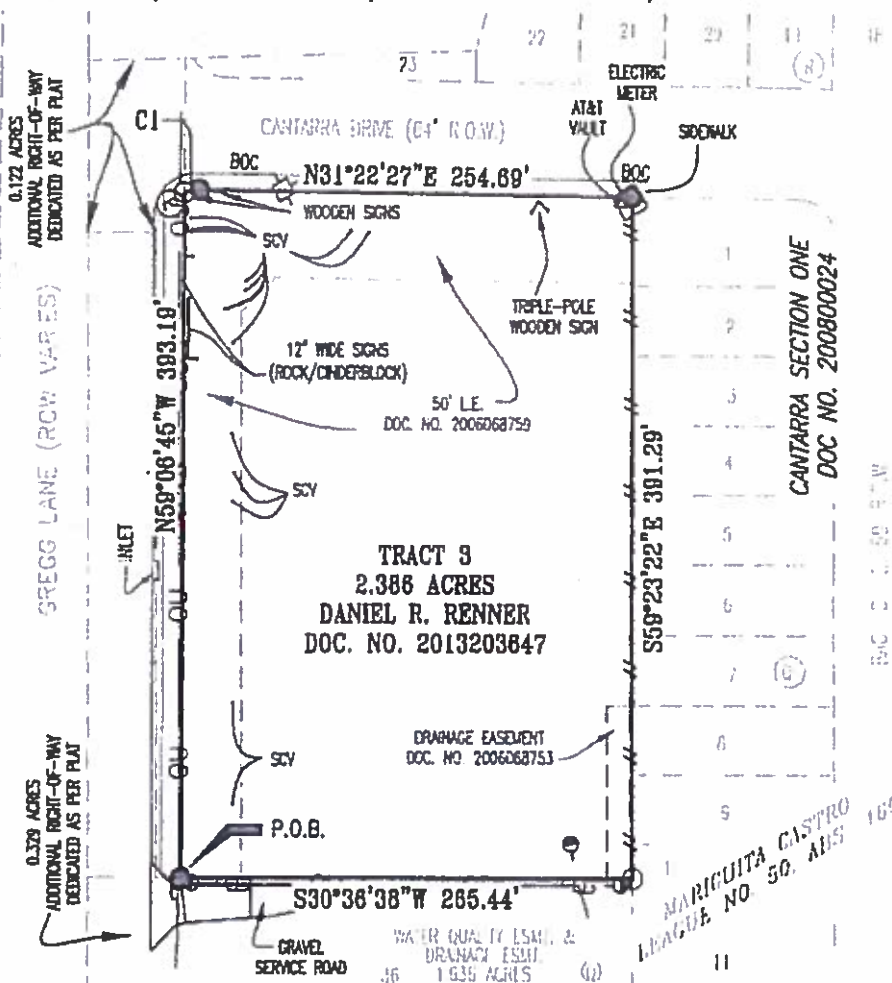
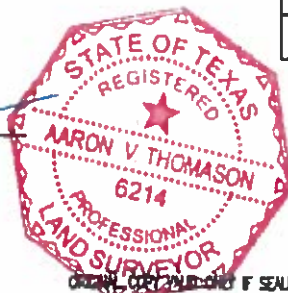
(CF # 201400822, EFFECTIVE DATE: APRIL 3, 2014)

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, the undersigned, do hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown hereon and that said property has access to and from a dedicated roadway except as shown hereon. The legally described property IS NOT within a special flood hazard area as designated by the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map Number 48453C 02901 for Travis County, Texas, dated September 25, 2008.

Dated, this the 22 day of January, 2014.

AARON V. THOMASON, RPLS# 6214
Carlson, Brigrance and Doering, Inc.
5501 West William Cannon
Austin, Texas 78749
(512) 280-5160 (512) 280-5165 (fax)
aaron@cbdeng.com



THIS TRACT IS SUBJECT TO:

1. RESTRICTIVE COVENANTS AS THOSE RECORDED IN VOL. 8600, PG. 14 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

10a) LANDSCAPE EASEMENT GRANTED TO CANTARRA VENTURES, LTD., BY INSTRUMENT DATED APRIL 13, 2006, RECORDED UNDER DOCUMENT NO. 2005068759 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing

10b) LANDSCAPE EASEMENT 50 FEET IN WIDTH ALONG THE FRONT AND SIDE PROPERTY LINE(S) AS SHOWN BY PLAT RECORDED UNDER DOCUMENT NO. 200800024 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing

10c) DRAINAGE EASEMENT 15 FEET IN WIDTH ALONG THE REAR PROPERTY LINE(S), AS SHOWN BY THE PLAT RECORDED UNDER DOCUMENT NO. 200800024 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	9.05	25.00	N21°00'18"E	9.00	4.57	20°44'18"

Carlson, Brigrance & Doering, Inc.
 FIRM ID #17391 REG. # 10021900
 Civil Engineering Surveying
 5501 West William Cannon Austin, Texas 78749
 Phone No. (512) 280-5160 Fax No. (512) 280-5165

ORIGINAL COPY MUST ONLY BE SEALED IN RED INK

PATH-J:4056/DWG/TITLE SURVEY-2.386 ACRES_2014.DWG

After Recording, Please Return to:
City of Austin
Law Department
P. O. Box 1088
Austin, Texas 78767
Attention: Michele Thompson, Paralegal